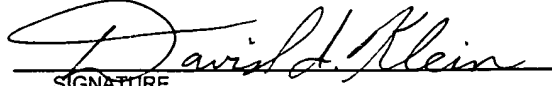


| | | |
|---|--|---|
| TRANSMITTAL LETTER TO THE UNITED STATES DESIGNATED/ELECTED OFFICE (DO/EO/US) CONCERNING A SUBMISSION UNDER 35 U.S.C. 371 | | ATTORNEY'S DOCKET NUMBER MR3269-57 |
| INTERNATIONAL APPLICATION NO. PCT/MX2002/000098 | | INTERNATIONAL FILING DATE 16 October 2002 |
| TITLE OF INVENTION GRANULATED FERTILISER COMPOSED OF MICRONUTRIENTS AND CLAY | | PRIORITY DATE CLAIMED |
| APPLICANT(S) FOR DO/EO/US Jose Luis Miranda Valencia & Gustavo Rebora Gonzalez | | |
| Applicant herewith submits to the United States Designated/Elected Office (DO/EO/US) the following items and other information: | | |
| <p>1. <input checked="" type="checkbox"/> This is a FIRST submission of items concerning a submission under 35 U.S.C. 371.</p> <p>2. <input type="checkbox"/> This is a SECOND or SUBSEQUENT submission of items concerning a submission under 35 U.S.C. 371.</p> <p>3. <input type="checkbox"/> This is an express request to begin national examination procedures (35 U.S.C. 371(f)). The submission must include items (5), (6), (9) and (21) indicated below.</p> <p>4. <input checked="" type="checkbox"/> The US has been elected (Article 31).</p> <p>5. <input checked="" type="checkbox"/> A copy of the International Application as filed (35 U.S.C. 371(c)(2))</p> <p style="margin-left: 20px;">a. <input checked="" type="checkbox"/> is attached hereto (required only if not communicated by the International Bureau).</p> <p style="margin-left: 20px;">b. <input type="checkbox"/> has been communicated by the International Bureau.</p> <p style="margin-left: 20px;">c. <input type="checkbox"/> is not required, as the application was filed in the United States Receiving Office (RO/US).</p> <p>6. <input checked="" type="checkbox"/> An English language translation of the International Application as filed (35 U.S.C. 371(c)(2)).</p> <p style="margin-left: 20px;">a. <input checked="" type="checkbox"/> is attached hereto.</p> <p style="margin-left: 20px;">b. <input type="checkbox"/> has been previously submitted under 35 U.S.C. 154(d)(4).</p> <p>7. <input type="checkbox"/> Amendments to the claims of the International Application under PCT Article 19 (35 U.S.C. 371(c)(3))</p> <p style="margin-left: 20px;">a. <input type="checkbox"/> are attached hereto (required only if not communicated by the International Bureau).</p> <p style="margin-left: 20px;">b. <input type="checkbox"/> have been communicated by the International Bureau.</p> <p style="margin-left: 20px;">c. <input type="checkbox"/> have not been made; however, the time limit for making such amendments has NOT expired.</p> <p style="margin-left: 20px;">d. <input type="checkbox"/> have not been made and will not be made.</p> <p>8. <input type="checkbox"/> An English language translation of the amendments to the claims under PCT Article 19 (35 U.S.C. 371(c)(3)).</p> <p>9. <input type="checkbox"/> An oath or declaration of the inventor(s) (35 U.S.C. 371(c)(4)).</p> <p>10. <input type="checkbox"/> An English language translation of the annexes of the International Preliminary Examination Report under PCT Article 36 (35 U.S.C. 371(c)(5)).</p> <p>Items 11 to 20 below concern document(s) or information included:</p> <p>11. <input type="checkbox"/> An Information Disclosure Statement under 37 CFR 1.97 and 1.98.</p> <p>12. <input type="checkbox"/> An assignment document for recording. A separate cover sheet in compliance with 37 CFR 3.28 and 3.31 is included.</p> <p>13. <input type="checkbox"/> A preliminary amendment.</p> <p>14. <input type="checkbox"/> An Application Data Sheet under 37 CFR 1.76.</p> <p>15. <input type="checkbox"/> A substitute specification.</p> <p>16. <input type="checkbox"/> A power of attorney and/or change of address letter.</p> <p>17. <input type="checkbox"/> A computer-readable form of the sequence listing in accordance with PCT Rule 13ter.2 and 37 CFR 1.821- 1.825.</p> <p>18. <input type="checkbox"/> A second copy of the published International Application under 35 U.S.C. 154(d)(4).</p> <p>19. <input type="checkbox"/> A second copy of the English language translation of the international application under 35 U.S.C. 154(d)(4).</p> <p>20. <input type="checkbox"/> Other items or information:</p> | | |

This collection of information is required by 37 CFR 1.414 and 1.491-1.492. The information is required to obtain or retain a benefit by the public, which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.11 and 1.14. This collection is estimated to take 15 minutes to complete, including gathering information, preparing, and submitting the completed form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Mail Stop PCT, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

COPY

| | | | | | |
|--|--------------|---|---------|---|--------------|
| U.S. APPLICATION NO. (if known, see 37 CFR 1.5) | | INTERNATIONAL APPLICATION NO. PCT/MX2002/000098 | | ATTORNEY'S DOCKET NUMBER MR3269-57 | |
| The following fees have been submitted | | | | CALCULATIONS | PTO USE ONLY |
| 21. <input checked="" type="checkbox"/> Basic national fee..... \$300 | | | | \$ 300.00 | |
| 22. <input checked="" type="checkbox"/> Examination fee If International preliminary examination report prepared by USPTO and all claims satisfy provisions of PCT Article 33(1)-(4)..... \$100 All other situations..... \$200 | | | | \$ 200.00 | |
| 23. <input checked="" type="checkbox"/> Search fee Search fee (37 CFR 1.445(a)(2)) has been paid on the international application to the USPTO as an International Searching Authority..... \$100 International Search Report prepared and provided to the Office..... \$400 All other situations..... \$500 | | | | \$ 500.00 | |
| TOTAL OF 21, 22 and 23 = | | | | \$ 1,000.00 | |
| <input type="checkbox"/> Additional fee for specification and drawings filed in paper over 100 sheets (excluding sequence listing or computer program listing filed in an electronic medium). The fee is \$250 for each additional 50 sheets of paper or fraction thereof. | | | | | |
| Total Sheets | Extra Sheets | Number of each additional 50 or fraction thereof (round up to a whole number) | RATE | | |
| - 100 = | /50 = | | x \$250 | \$ | |
| Surcharge of \$130.00 for furnishing the oath or declaration later than 30 months from the earliest claimed priority date (37 CFR 1.492(h)). | | | | \$ | |
| CLAIMS | NUMBER FILED | NUMBER EXTRA | RATE | \$ | |
| Total claims | 15 - 20 = | 0 | x \$ 50 | \$ -- | |
| Independent claims | 2 - 3 = | 0 | x \$200 | \$ -- | |
| MULTIPLE DEPENDENT CLAIM(S) (if applicable) | | | | + \$360 | \$ -- |
| TOTAL OF ABOVE CALCULATIONS = | | | | \$ 1,000.00 | |
| <input checked="" type="checkbox"/> Applicant claims small entity status. See 37 CFR 1.27. Fees above are reduced by 1/2. | | | | 500.00 | |
| SUBTOTAL = | | | | \$ 500.00 | |
| Processing fee of \$130.00 for furnishing the English translation later than 30 months from the earliest claimed priority date (37 CFR 1.492(i)). | | | | + | \$ |
| TOTAL NATIONAL FEE = | | | | \$ 500.00 | |
| Fee for recording the enclosed assignment (37 CFR 1.21(h)). The assignment must be accompanied by an appropriate cover sheet (37 CFR 3.28, 3.31). \$40.00 per property | | | | + | \$ |
| TOTAL FEES ENCLOSED = | | | | \$ 500.00 | |
| | | | | Amount to be refunded: | \$ |
| | | | | Amount to be charged: | \$ |
| a. <input checked="" type="checkbox"/> A check in the amount of \$ <u>500.00</u> to cover the above fees is enclosed. b. <input type="checkbox"/> Please charge my Deposit Account No. _____ in the amount of \$ _____ to cover the above fees. A duplicate copy of this sheet is enclosed. c. <input checked="" type="checkbox"/> The Commissioner is hereby authorized to charge any additional fees which may be required, or credit any overpayment to Deposit Account No. <u>18-2011</u> . A duplicate copy of this sheet is enclosed. d. <input type="checkbox"/> Fees are to be charged to a credit card. WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038. | | | | | |
| NOTE: Where an appropriate time limit under 37 CFR 1.495 has not been met, a petition to revive (37 CFR 1.137(a) or (b)) must be filed and granted to restore the International Application to pending status. | | | | | |
| SEND ALL CORRESPONDENCE TO: Rosenberg, Klein & Lee 3458 Ellicott Center Drive Suite 101 Ellicott City, MD 21043 | | | | | |
| | | | |  SIGNATURE | |
| | | | | David I. Klein NAME | |
| | | | | 33,253 REGISTRATION NUMBER | |

COPY

Date: April 1, 2005
Hon. Director of Patents & Trademarks

10/530222

Please acknowledge receipt of the document(s)
described below by imprinting the Patent Office
"date-stamp" hereon and returning this card to the
addressee indicated on the reverse side hereof.

File No. MR3269-57 FEE DUE? YES AM'T ENC'D \$500.00
Client Name Jose Luis Miranda Valencia, et al.
Document(s) Filed PA: GRANULATED FERTILISER COMPOSED OF
MICRONUTRIENTS AND CLAY (Small Entity)
Art Unit # _____ Examiner _____
Document Serial #/Pat. # _____
Drawing Sheets 0 Abstract Pgs. 1 # Claims 15 Spec. Pages 10
TM ☐ Patent ☒ Small Entity ☒ Large Entity ☐
Assignment ☐ Priority Document ☐ IDS ☐ Photographs ☐
Non-Publication Request ☐ Mult. Dep. Claims ☐ TM Specimen ☐
JCO2 Rec'd PCT/PTO 04 APR 2005

COPY

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE #3

Applicant : Jose Luis Miranda Valencia, et al. :

Serial No. : 10/530,222 : Attn: Anita D. Johnson
Filed : 4 April 2005 : DO/EO/US

Int. Patent
Appln. No. : PCT/MX2002/000098 :
Int. Filing
Date : 16 October 2002 :

Title : GRANULATED FERTILISER COMPOSED
OF MICRONUTRIENTS AND CLAY

RESPONSE TO NOTIFICATION OF MISSING REQUIREMENTS
UNDER 35 U.S.C. 371 IN THE UNITED STATES DESIGNATED/
ELECTED OFFICE (DO/EO/US)

Mail Stop NO FEE
Honorable Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

The undersigned attorney received a Notification of Missing Requirements dated 13 September 2005 from the U.S. Patent and Trademark Office. The objection made in the Notification of Missing Requirements is that a translation of the application into English was not provided at the time of filing at the USPTO, namely, 4 April 2005.

In fact, the undersigned attorney did hand-file the translation of the application in English at the time of filing.

Attached to this Response to the Notice of Missing Requirements are the following papers:



MR3269-57

Appln. No. 10/530,222

Reply to Office Action dated 9/13/2005

- (1) A copy of the Transmittal Letter to the United States

Designated/Elected Office concerning a submission under 35 U.S.C. 371 which shows that the English translation is attached;

- (2) A copy of the Receipt Postcard filed at the U.S. Patent and Trademark Office clearly showing that the application was filed with 10 Specification Pages, 15 Claims and 1 Abstract Page;

- (3) A copy of the Notification of Missing Requirements as required; and

- (4) Due to the fact that the English translation is obviously not in the file of the above-referenced patent application, a further copy of the English language translation which was filed on 4 April 2005.

It is believed that the USPTO has misplaced some papers from the above-referenced file and it is further believed that no fee should be charged to the Applicant for additional processing.

If after reviewing the enclosed papers, it is still required by the Commissioner of Patents that a fee is chargeable to Applicant, the Honorable Commissioner for Patents is hereby authorized to charge Deposit Account 18-2011 for such charges.

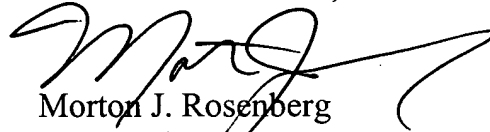
MR3269-57

Appln. No. 10/530,222

Reply to Office Action dated 9/13/2005

If charges are made to the Deposit Account, it would further be appreciated as to an explanation of why the account is being charged.

Respectfully submitted,
FOR: ROSENBERG, KLEIN & LEE



Morton J. Rosenberg
Registration No. 26,049

Dated: *21 Sept 2005*

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